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October 22, 2007

Honorable Harold Baer
District Judge, S.D.N.Y.
U.S. District Courthouse
500 Pearl Street
New York, NY 10007

OCT 24 2007

U.S. v. Ki-Yung Yeung, et al., 07 CR 461 (HB)

Dear Judge Baer:

I am writing on behalf of my client Ki-Yung Yeung to elaborate on my October 12, 2007 request for an adjournment of the sentence in the above-captioned case to the week of December 10, 2007.

While I appreciate that I am seeking a lengthy adjournment, I believe the requested adjournment will ensure a full examination of all issues pertinent to the sentence in this case. Notably, Ms. Yeung is currently released on bail in this case, and thus, the adjournment will not cause her any prejudice.

Ms. Yeung, a first-time, non-violent offender and stay-at-home mother, has pled guilty to bank fraud in connection with a fraudulent application for a \$100,000 credit line. She faces a guideline range of 10 to 16 months in custody, in ZONE C of the sentencing table. She is therefore just on the cusp of a sentence of incarceration. I believe that there are several compelling reasons why the Court should consider a below-Guidelines sentence in this case that would obviate the need for Ms. Yeung to spend time in prison. These include Ms. Yeung's family circumstances (she is a devoted mother of three, including an 8 year-old boy), the fact that Ms. Yeung, a naturalized U.S. citizen, is the language conduit in this country for her husband and elderly parents, and the fact that her role in this offense was relatively minor. In addition, there are several additional factors about the circumstances of this case I wish to explore and substantiate prior to sentencing that mitigate my client's involvement in this case, including the fact that the mastermind of the fraud, fugitive Carol Lim, is a very powerful and charismatic individual, who manipulated the generosity and good intentions of other participants in the crime, including Ms. Yeung.

I note that AUSA David O'Neill advises me that the government does not oppose my application for an adjournment.

Thank you for your attention to this matter.

Respectfully submitted,

JaneAnne Murray
Attorney for Ms. Yeung

cc: AUSA David O'Neill

I thought my order
was clear & this note does
nothing to change my view
I will extend the time for reinterd
anyway to Monday Nov 26 at 11 AM
& if that's inconvenient I will see
you on Nov 15 or per my earlier
should let me know. Don't need to write

SO ORDERED:
Harold Baer, Jr., U.S.D.J.

Date: 10/24/07

Endorsement:

I thought my order was clear and this note does nothing to change my view. I will extend the time for sentence anyway to Monday November 26 at 11:00 AM and if that's inconvenient I will see you on November 15 as per my earlier thought - Don't need to write me anymore.